



City of Hutto

Agenda

City Council Meeting

Thursday, February 2, 2023 at 7:00 PM

City Council Chambers

Hutto City Hall

500 W. Live Oak Street

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

1. CALL SESSION TO ORDER

2. ROLL CALL

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

5. PROCLAMATIONS

5.1. Black History Month

5.2. World Hippo Day

6. PRESENTATIONS

6.1. Monthly Presentation for Capital Improvement Projects for Fiscal Year 2023 (Matt Rector)

7. CITY MANAGER COMMENTS

8. CITY COUNCIL COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governing body may make an announcement about items of community interest during a meeting of the governing body without given notice of the subject of the announcement. Items of Community Interests include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedule; (3) an honorary or salutary recognition of public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition of the subdivision; (4) a reminder regarding social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and (5) announcements involving imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

8.1. General Comments from City Council

8.2. City Council Liaison Reports

8.3. Future Agenda Items

9. PUBLIC COMMENT

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that

are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on February 2, 2023. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

10. CONSENT AGENDA ITEMS

- 10.1. Discussion and possible action authorizing the City Manager to execute Individual Project Order 2023-09 for continuing professional services with Freese & Nichols Inc. (FNI) for engineering and design of the Lakeside Estates Phase 2 Sidewalk Project, from the approved FY 22-23 budget, in the not-to-exceed amount of \$85,220.00. (Matt Rector)
- 10.2. Consideration and possible action on Resolution No. R-2023-020, a Resolution accepting the infrastructure improvements for the subdivision known as Covered Bridge Phase 1 (Richard Rodriguez)
- 10.3. Consideration and possible action on Ordinance No. O-2023-010 amending Chapter 18, Article 18.02, Division 1 of the Code of Ordinances to update the rules and regulations related to City Parks. (Jeff White) (First Reading)
 - a. Consideration and possible action on Ordinance No. O-2023-010 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 10.4. Presentation and possible action to accept the financial report for the month ending November 30, 2022. (Anne LaMere)
- 10.5. Consideration and possible action on approving the January 19, 2023 City Council and January 19, 2023 Work Session meeting minutes (Angela Lewis)
- 10.6. Consideration and possible action regarding Ordinance No. O-2023-008 to amend Section 2.03.042 of the Code of Ordinances to provide a definition of residency for the city manager residency requirement. (Mayor Snyder)
 - a. Consideration and possible action on Ordinance No. O-2023-008 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 10.7. Authorize release of January 27, 2023 Memo relating to Texas Constitutional Holdover Provision in a Home-Rule Municipality (Mayor Pro Tem Gordon, Legal)
- 10.8. Consideration and possible action on Ordinance No. O-2023-011 amending the Budget for the Fiscal Year of October 1, 2022 through September 30, 2023 by appropriating and setting aside funds in the amount of \$6,000,000.00 for municipal purposes; providing for severability; and providing for an effective date. (First Reading) (Legal)

11. RESOLUTIONS

- 11.1. Consideration and possible action on Resolution R-2023-021, a Resolution approving the appointment of William Zito Jr. as the Emergency Management Coordinator for the City of Hutto, Texas (City Manager James Earp)
- 11.2. Consideration and possible action regarding the adoption of Resolution R-2023-022, providing an interpretation for the meaning of residing within the City of Hutto, Texas, related to Hutto City Charter Sections 3.02 and 3.06(b)(1). (Mayor Snyder)

12. OTHER BUSINESS

- 12.1. Consideration and possible action regarding possible appointments, re-appointments and/or removals to City Boards, Commissions, Task Forces, Economic Development Corporations, Local Government Corporations and Tax Increment Reinvestment Zone Boards, City Council Liaisons, and Area Government appointments.
- 12.2. Conduct a public hearing and possible action on the Hutto Soar 2040 Comprehensive Plan and approving Ordinance No. O-2023-009 (First Reading) (Ashley Bailey)
 - a. Consideration and possible action on Ordinance No. O-2023-009 to dispense with the second reading pursuant to Hutto City Charter Article 3, Section 3.13 (Legal)
- 12.3. Discussion and Possible Action on Financial Reserve Requirement Limits (Councilmember Clark, Mayor Pro Tem Gordon)

13. EXECUTIVE SESSION

The City Council for the City of Hutto reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by the Texas Government Code Sections 551.071 (Litigation/Consultation with Attorney), 551.072 (Deliberations regarding real property), 551.073 (Deliberations regarding gifts and donations), 551.074 (Deliberations regarding personnel matters) or 551.076 (Deliberations regarding deployment/implementation of security personnel or devices) and 551.087 (Deliberations regarding Economic Development negotiations).

- 13.1. Receive legal advice pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests.
- 13.2. Receive legal advice pursuant to Texas Government Code Section 551.071 relating to pending EEOC claims of former employee Stacy Schmitt.
- 13.3. Pursuant to Texas Government Code Sections 551.071 (legal consultation), 551.072 (Real Property) and 551.087 (Economic Development), to deliberate and seek legal advice regarding structure and funding of economic development real property acquisition and road construction by the Hutto Economic Development Corporation.

14. ACTION RELATIVE TO EXECUTIVE SESSION

- 14.1. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sec. 551.071 related to Pending Legal Requests, Potential Claims, Pending Litigation, Potential Litigation, and City Council Legal Requests.
- 14.2. Consideration and possible action relating to legal advice received pursuant to Texas Government Code Section 551.071 relating to pending EEOC claims of former employee Stacy Schmitt.
- 14.3. Consideration and possible action related to legal advice received pursuant to Texas Government Code Sections 551.071 (legal consultation), 551.072 (Real Property) and 551.087 (Economic Development), regarding structure and funding of economic development real property acquisition by the Hutto Economic Development Corporation.
- 14.4. Discuss and consider a Resolution approving Cottonwood Development Corporation's sale of the approximate 250 acres of property owned by the Corporation, under duress, accepting the Hutto Economic Development Corporation's offer to purchase the property as contained in the Bill of Sale issued by Hutto Economic Development Corporation Type B, under duress.
- 14.5. Discuss and consider a Resolution approving the Hutto Economic Development

Corporation's related expenditures to purchase the Cottonwood Development Corporation property, as contained in the Bill of Sale issued by Hutto Economic Development Corporation Type B, under duress.

- 14.6. Approve a Resolution approving a city sales tax funding and refunding agreement between the Hutto Economic Development Corporation and the City of Hutto, Texas in the amount of \$6,000,000 to acquire 250 acres of land for economic development use which is currently owned by and being sold under duress by the Cottonwood Development Corporation.

15. ADJOURNMENT

16. CERTIFICATION

I certify that this notice of the February 2, 2023 Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on January 30, 2023 before 5:00 P.M.



Angela Lewis

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours prior to the meeting. Please email the City Secretary's office at Angela.Lewis@huttotx.gov or call (512) 759-4033 for assistance.